

YOUR TOWN HALL

KNOWN ACTION ITEMS

The meeting began with all Committee members were present. There were four resolutions on the agenda for adoption. All resolutions were adopted with all Committee members voting in favor of their adoption. They are numbered 10-202, 10-203, 10-204 and 10-205.

The agenda for the August 16 meeting was read and when it was mentioned that the budget was up for Vote Only the Administrator, Tony Mercantante, motioned that this needed some discussion. He said that the Township will have to do a budget amendment after the Local Finance Board meeting on August 11th. Mr. Mercantante suggested that the amendment be done on August 16th and then follow with a special meeting on August 19th to vote on adopting the budget. Mrs. Brightbill asked if we needed to have a special meeting on the 19th and Mr. Mercantante confirmed that a special meeting will need to take place. Mr. Byrnes said that he might not be able to make it on the 19th. Mr. Mercantante said that he could call in and the meeting will be short because they already had a public hearing.

DISCUSSION

a - There were no comments from the Committee on this discussion item.
b - Sean Byrnes wanted to know about the cash component for the town and an in-kind contribution with this grant. Mrs. Brightbill said that this item and Item (f) both have in-kind contributions and a cash component by the town. CFO, Nick Trisante, said an in-kind contribution could be anything in lieu of cash, such as police officer duties and use of facilities. Mr. Byrnes asked if we just have to make services available for the amount of the grant. Nick Trisante said that it is all spelled out in the

original application. Then Mr. Byrnes wanted to know the overall budget for the alliance and number of employees involved. Mr. Mercantante said he didn't have dollar figures available, but there were two counselors, a part-time employee and Mike Slover. Mr. Byrnes said he didn't have a problem with the services but wanted to know if they'd get more for the money if the money went directly to the counselors.

c - There were no comments from the Committee on this discussion item.
d - There were no comments from the Committee on this discussion item.
e - There were no comments from the Committee on this discussion item.
f - This was discussed along with Item b.
g - Committeeman Byrnes wanted to know if Whirl Construction was already awarded the contract. Director of Parks & Recreation, Gregg Silva, said that this project went out to bid twice and there were two firms that bid. The lowest bidder did not respond to the Township's communications and the second lowest bidder was awarded the contract. Mrs. Brightbill asked why T&M did the design of the project instead of the Township Engineer, Ted Maloney. Mr. Silva said that T&M did the original design work so they just took the specifications for this project out of the original design and Ted was not needed.

h - There were no comments from the Committee on this discussion item.
i - There were no comments from the Committee on this discussion item.
j - There were no comments from the Committee on this discussion item.
k - Mr. Mercantante said that this will be discussed as the last item up for discussion.
l - Tony Mercantante said that the community suggested that this was an area that could be cut. They are looking at cutting back hours to realize savings. One day would save \$15k and 2 days would save \$28k. Ted Maloney said there is a

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20% reduction in drop-offs on Tuesday and Wednesdays. Mr. Byrnes asked if they should cut daily hours. Mr. Maloney said that some people are waiting to drop off before they go to work. Committeeman Fiore said that there are alternate sites available that residents don't know about. Mr. Maloney said there is not much dropped off at the satellite locations and we might not need them. Mr. Fiore said that with the pick-up of cardboard at the home Tuesday and Wednesday activity at the Recycling Center would probably decrease. Mr. Byrnes suggested closing the sites on Tuesdays and Wednesdays and using some of the savings to promote home collection of cardboard.

Mr. Mercantante said that this information will be going out in a newsletter during the first week of September. Mr. Trasante asked if there was money from the Clean Communities grant. Mr. Maloney said that we could use those funds, also. Mrs. Brightbill asked how closing the recycling center two days per week will affect the part-time employees. Mr. Maloney said one employee would be laid off for each day the center is closed. Mr. Mercantante said there should be an announcement about the closings and that it will be effective September 1st. Mr. Scharfenberger asked if the press release about the recycling effort was going out this week. That was confirmed by Mr. Mercantante. Mr. Fiore said the cardboard collection will reduce the volume on Kanes Lane and the announcement about home collection of cardboard should coincide with the announcement about the closing of the recycling center. Mr. Byrnes said that the volume of junk mail and cereal boxes in each home is large and that if people knew that they could put it out with the newspapers, a lot of revenue could be generated. He suggested having a poster contest in the schools to generate awareness. Mr. Scharfenberger said that that is part of the program.

m - There were no comments from the Committee on this discussion item.

n - There were no comments from the Committee on this discussion item.

Item k - Capital Improvement Plan

Mr. Mercantante said the main section of this ordinance will be the road projects. We will do the engineering work now and go out to bid in the spring on the actual work. He said this will also allow for the design costs to be put into this years' budget and allow for the replacement of some equipment. He said many roads are a continuation from last years' neighborhood plan. He said that \$125K was allotted for a down payment on bonds and that will allow for a \$2.5M capital improvement bond.

Nick Trisante said that by doing the plan this way we can double the number of roads that will be worked on. Mr. Mercantante said he wants to continue doing the capital improvements using this method because it will not be done at the same time that the budget is being done. Mr. Trisante said that by bonding first you are stuck with bond monies. He said that bonding later is a more efficient way in using money and he will only bond for what is needed. Mr. Mercantante said that in response to bidding out the engineering work it should only be right to allow T&M to finish the work in the existing neighborhoods that they are working on. Any new work that the Township will do will go out to bid for the engineering work. Mr. Byrnes wanted to know how important the King's Hwy project is for T&M. Mr. Mercantante said T&M began the actual grant application process and he would like to see them finish the whole project. Ted Maloney said a lot of administration work is done by T&M and it should continue. Mr. Fiore wanted to know how much T&M charges. He asked if they get about \$140/hr. Mr. Maloney said it was about \$140/hr depending on the level of the project. Mr. Fiore asked if the cost was greater

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when we bid out on the smaller projects because when an RFP comes in at the end of the year, from T&M, we are get institutional pricing because they are pricing in the grand scope of the work. Mr. Fiore does not feel that we will get that institutional pricing by bidding out everything separately. Mr. Maloney said there are benefits with dealing with T&M like their familiarity with past projects, but in terms of pricing many firms will bid low just to get their foot in the door to develop that relationship with the town. Mr. Fiore said we don't want to get into a competitive disadvantage. Mr. Mercantante said that if the bids came in too high the town could reject them all. Mr. Byrnes wanted to know how long T&M have been the township engineers and Mr. Mercantante said since the early 70's. Mr. Trisante said that by bidding out jobs you get a better understanding of where the job market is at and the town can budget better. Mr. Fiore said he was not disagreeing but he wants to make sure we're not disadvantaged. Mr. Mercantante said that by going out to bid on engineering work the waters can be tested to see if we are being charged too much for the work currently being done. Mr. Maloney said that many firms will go and look at turf field bids to get a sense of what to charge. Mr. Byrnes said that Middlesex qualifies 5 or 6 firms and then bids between them during the year. Mr. Maloney said that staffing of firms is essential to job size and that many firms are self-disciplined. Mr. Scharfenberger said that we don't want to narrow the specifications too much and eliminate the prospective bidders. Mr. Maloney said that many firms are multi-disciplined and can walk across the hall and ask questions instead of subcontracting that portion out. He said that the bidding process is something that should be looked at. Mr. Scharfenberger said that he wanted to add a resolution to the next meeting. Mrs. Brightbill said they were still on the Capital Improvements discussion. Mr. Byrnes asked if the scanners

were part of the capital expense and Mr. Trisante said that not everything in the capital budget needs to be bonded, but it was put in the capital budget to avoid the 4% cap. Mrs. Brightbill asked about the street sign replacement truck. Mr. Mercantante said that was a request and Mr. Maloney said we can do without it. Mr. Fiore said the Johnson-Gill roof badly needs replacement and asked if the Public Works building is under consideration for solar panel installations. Mr. Mercantante said that the Johnson-Gill building has lots of shade but the DPW building is good. Mrs. Brightbill asked about the solar lighting in the parking lot. Mr. Maloney said that it would not provide a lot of lighting and it is sort of a safety issue during the winter months. They will look to see if it can be included in the budget. Mr. Mercantante said that some lights will dim. Sean Byrnes asked which basketball court was listed for repairs. Mr. Mercantante said that no specific court was listed. When Mr. Byrnes asked if there was any discussion about Trezza field, Mr. Silva said there weren't any discussions but the league has done some repairs on their own. Mr. Mercantante said that some discussion needs to take place for \$2.6M turf bonds. He said that it can be reallocated for some of what is in the capital budget. Mr. Trisante said we should use the money we have now for another project rather than re-bonding. He doesn't think there is enough to qualify for this. Mr. Scharfenberger asked Mr. Trisante to go through the list and select what could be used for parks.

Mr. Fiore said that many fields need repairing because of drought and continued usage and these funds will not come close to repairing the fields. Mr. Silva said a group approached him about the Pop Warner Eagles field conditions. Mr. Byrnes asked how much of the engineering design work has been done with the artificial fields. Mr. Silva said that about 75% of the work has been done on the Croydon Hall field. Mr. Mercantante said that the

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engineers are still working with the DEP to resolve some issues. Mr. Byrnes said they will have to spend money on the fields. Maybe make new fields and move the teams around. But Mr. Silva said if more fields are built it would mean more teams would come to play on them. Mr. Mercantante said it was stated that by giving fields rest, it will increase use of other fields. Mr. Scharfenberger said we will recoup our investment in 10 years. Mrs. Brightbill said we should complete Croydon Hall. Mr. Mercantante said the capital budget will be introduced in September and Mr. Trisante added that it can be changed throughout the year.

Mr. Scharfenberger requested a resolution to support legislation that will remove school funding from property taxes by increasing the amount of sales tax. He said it's the only way to reduce property taxes and we should show support for pending legislation.

COMMITTEE COMMENTS

Committeeman Byrnes said he was glad that they are now going out to bid on future engineering work. He also said he thinks marketing the cardboard pickup would reduce recycling center hours. He feels that the Swim Utility is not a corporate government function and we don't have the expertise to run it profitably. He said we need to contract it out because it is hard to recoup our investment in just 3 months of business operation. He would like to see a central recreation center with aquatics. It would allow the local swim teams to have a facility closer to home to use. We need someone to present a proposal to run it and we need to put a group together to study this.

Committeewoman Brightbill commented on the passing of Judith Stanley-Coleman and said that her footprint will be with us for a long time.

Committeeman Fiore echoed Mrs. Brightbill's comments on Mrs. Coleman and

said he was on the Planning Board with her. He said she was on many community organizations and had a way of getting her point across. Mr. Fiore mentioned that recycling cardboard was a suggestion that he made before he was on the Committee and he is pleased a plan of action is in place to implement it. He agreed with the consensus on the Committee about the pool club that we should either be all in or all out because we can't continue with just maintaining it. He agreed with Sean that we need a plan and with the right approach we could make a profit but the less we put in, the more it degrades.

Mr. Scharfenberger said the Green Initiative was set up to help with property taxes. He said there is a large program coming – "Recycle 2 Save". He said that the Township is down \$400K in revenue due to loss of newspaper recycling. There is a large program based on "Buy Middletown" to get everyone involved with recycling. He said once people get into the habit it will really help. He then said he met with various solar companies and if we could partner with the Board of Education (BOE) we could save \$8M over 10 years with one firm. He went on to comment that whenever a call came from Judith Stanley-Coleman there was no social talk. He said she had the ability to see things through and was very philanthropic. Mr. Scharfenberger then said the Elton John tribute concert in the park was the best ever and that all costs for the concerts were being covered by outside sources.

PUBLIC COMMENTS

Peter Simpson started by saying Judith Stanley-Coleman made a big contribution to the Township, State and the Republican Party. She was a National Committee woman and the last of the breed of get-along Republicans. He then said he has not attended a Township Committee meeting in a long time and there was a rather abrupt ending to the turf field issue. He said

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however the problems are still there. The money is still there. He said there were suggestions made on how it would fit in Trezza Field. In the end the Committee said that it was due to the financial crisis. He said he would like a categorical assurance that the bonded funds can only be used for capital expenditures and not used for general expenses. Nick Trisante said that's the law. Mr. Scharfenberger said that nobody said "No" to Trezza Field maintenance, which is different than all the bells and whistles. Mr. Simpson asked about the plans that were submitted. Mr. Scharfenberger said that the plans were not done by a licensed engineer and there were many miscalculations in them.

Donna Kuntz asked for clarification on the easement for her property. She assumes that she has the same rights as her neighbors. She said that over 1ft of soil had been removed from her property the week before after requesting that soil not be removed. She also said her flood insurance has increased. She wanted to know what the rights are of the property owner. Mr. Maloney said if she is talking about relocating the soil on her property that they will do that. He said the current grading plan was signed off on. Ms. Kuntz shot back that she did not sign off on the plans and did not even get the plans until April. She had directed comments to the Committee from her engineers then and would not sign off because the drainage ditch is in her yard now when it was in another yard before. Mr. Maloney said they were trying to create swales to flow into drains and water drains to the lowest point which is in her yard. Ms. Kuntz said that she is getting nowhere with the Township officials. She has sent many letters to the Township and does not get responses to them.

Don Watson asked about the excavation of the jug handle at Tindal Rd. and Rt. 35. The Mayor said that a water main was being put in. Mr. Watson asked if the construction company was aware of the contamination monitoring wells on the site and if they were going to be disturbed. Mr. Mercantante said that they were aware of the wells and they will not be disturbed. Mr. Watson asked what would become of the soil that is

removed from the site and if it was contaminated. Mr. Maloney said that the pipes are not being buried that deep and the wells are below that level. Mr. Watson then asked about some of the purchasing items from the agenda. He asked about the spending on the Pt. Monmouth drainage improvements and Mr. Maloney said that this will cover all of the fees and expenses to complete this project. Mr. Watson then asked what was being purchased for emergency snow plowing. Mr. Maloney said that this was to cover the costs of the contractors that will be bidding on these services for the winter.

Bill Thorpe mentioned the recycling fees and commented that the newspapers have been getting very thin and that people are dropping subscriptions. He then asked about the bond issue and how much money is involved, how much the interest rate on it is and if the Township has to keep it if there is some way to refinance them to get a lower interest rate. Mr. Trisante said that the law allows refinancing if the savings are about 10% or greater. He said that the bonds have to be available to be called back. Most of the interest rates on the recent bonds have some of the lowest interest rates available and that it would not make sense to refinance. Mr. Scharfenberger said that Mr. Thorpe's time was up and that they would have to move on to the next person. Mr. Thorpe ended by suggesting that the Township should reduce the open space tax because of the recent revaluation.

Jeff Blumengold said that he was surprised to hear that the Township has been using the same engineering firm since the 1970's. He said that from his personal business experience, clients went out to prequalify a number of engineering firms. He said that they used multiple firms to ensure that they got the attention that they deserved. Mr. Blumengold said that we should have this in place moving forward when addressing the construction needs of the Township.

Resolution No. 10-202

RESOLUTION FOR TEMPORARY EMERGENCY APPROPRIATION

WHEREAS, emergent conditions have arisen with respect to the payment of bills in a number accounts and no adequate provision has been made in a Year 2010 temporary budget for the aforesaid purposes, and

WHEREAS, NJS 40A:4-20 provides for the creation of an emergency temporary appropriation for the purposes above mentioned, and

WHEREAS, the total temporary emergency resolutions adopted in the Year 2010 for the Township pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:4-20) including this resolution total \$42,449,731 for the Current Fund, \$2,362,022 for the Solid Waste District, \$337,610 for the Swim Utility, and

NOW, THEREFORE, BE IT RESOLVED (not less than two thirds of all members of the Township Committee of the Township of Middletown, New Jersey affirmatively concurring) that in accordance with the provisions of NJS 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the following purposes:

Temporary Budget Request 8/02/2010		
Account Number	Description	Amount
Current Fund		
0-01-20-100-100-100	A&E S&W	\$500
0-01-20-100-101-100	Purchasing S&W	1,000
0-01-20-120-101-208	Elections O&E	2,000
0-01-20-140-100-200	MIS- O&E	5,000
0-01-20-145-100-100	Collector - S&W	2,600
0-01-20-150-100-100	Assessor S&W	500
0-01-20-155-100-200	Legal O&E	5,000
0-01-21-180-100-200	Planning - O&E	2,000
0-01-23-215-100-200	Workers Comp	80,000
0-01-23-220-100-200	Insurance Health Premiums	401,000
0-01-25-240-100-100	Police S&W	1,050,000
0-01-25-240-100-200	Police O&E	20,600
0-01-25-265-100-100	Fire S&W	3,000
0-01-25-265-101-200	Uniform Fire Safety O&E	450
0-01-26-290-100-100	Streets & Roads - S&W	4,000
0-01-26-290-100-200	Streets & Roads - O&E	36,000
0-01-26-305-100-100	Recycling S&W	1,000
0-01-26-305-100-200	Recycling O&E	28,000
0-01-26-310-100-259	PBG Maintenance of Twp Property	20,000
0-01-26-315-100-200	Vehicle Maintenance - O&E	16,000
0-01-27-330-100-100	Health S&W	9,000
0-01-28-370-100-100	Parks & Recreation - S&W	70,800
0-01-28-370-100-200	Parks & Recreation - O&E	5,250
0-01-31-430-200-200	Utilities - O&E	40,000
0-01-31-440-200-200	Telephone - O&E	23,200
0-01-31-445-200-273	PBG - Water	13,000
0-01-31-446-200-200	PBG - Natural Gas	10,000

0-01-31-455-200-274	PBG - Sewer	1,000
0-01-31-460-200-200	Fuels - O&E	50,000
0-01-43-490-100-100	Court S&W	15,000
	TOTAL	\$1,915,900
Solid Waste District		
0-15-26-305-000-200	SWD Disposal Fees	\$90,000
	TOTAL	\$90,000
Swim Utility		
0-01-55-501-000-100	Swim Utility S&W	
0-01-55-501-000-200	Swim Utility O&E	\$1,000
	TOTAL	\$1,000

2. That said emergency temporary appropriations will be provided for in the 2010 budget under the appropriate titles.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

RESOLUTION 10-203
AUTHORIZING AN
ACCELERATED TAX SALE

WHEREAS, NJSA 54:5-19 permits a municipality to sell liens on delinquent municipal charges prior to the close of the Calendar Year 2010, and

WHEREAS, the Township of Middletown has realized an exceptional tax collection rate through this process, and

WHEREAS, the Township of Middletown CY 2010 Budget has anticipated continuing an Accelerated Tax Sale;

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector of the Township of Middletown is hereby authorized to conduct an Accelerated Tax Sale for the Calendar Year 2010.

BE IT FURTHER RESOLVED, that the Township Clerk is directed to file two certified copies of this resolution with the Director of Local Government Services.

Township of Middletown
Resolution No. 10-204

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Monmouth Avenue Resurfacing (Kings Highway East - Phase IV) project.

NOW, THEREFORE, BE IT RESOLVED that Council of Middletown Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Administrator and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Middletown Township-00305 to the New Jersey Department of Transportation on behalf of Township of Middletown.

BE IT FURTHER RESOLVED that Administrator and Clerk are hereby authorized to sign the grant agreement on behalf of Township of Middletown and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION No. 10-205

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING RENEWAL OF INACTIVE PLENARY RETAIL
CONSUMPTION LICENSE 1331-33-018-006**

WHEREAS, application has been made to the Middletown Township Committee for a PLENARY RETAIL CONSUMPTION LICENSE Renewal for Thomas W. Stavola. 1331-33-018-006 in a timely manner, for the year beginning July 1, 2010 and ending June 30, 2011 accompanied by a statutory fee of \$1,900.00; and

WHEREAS, the license application has been duly investigated by the Office of the Chief of Police of the Township of Middletown, and it appearing that the application is in due form and that all legal formalities have been met; and

WHEREAS, The License has bee inactive and the license holder has submitted a verified petition to the State of NJ Department of Public Safety, Division of Alcoholic Beverage Control for a Special Ruling under NJSA 33:1-12.39; and

WHEREAS, The Township has received a copy of the Special Ruling Granted by the Director of the Division of Alcoholic Beverage Control permitting the license be reviewed by the Township for renewal, terms of 2010-2011 and 2011-2012.

NOW, THEREFORE, BE IT RESOLVED that PLENARY RETAIL CONSUMPTION LICENSE be granted to Thomas W Stavola,. 1331-33-018-006 as an inactive license for the year beginning July 1, 2010 and ending June 30, 2011.

BE IT FURTHER RESOLVED that the Township Clerk issue the necessary licenses pursuant to this resolution and that a certified copy of this resolution be forwarded to the Director of Alcoholic Beverage Control of the State of New Jersey, provided that in each case payment of \$200.00 filing fee of licensee has been made to the Division of Alcoholic Beverage Control in accordance with P.L. 1970, Chapter 77.